

REMARKS/ARGUMENT

Claims 1-8 and 11-21 are currently pending.

The Office Action maintained the rejections of the pending claims under 35 U.S.C. § 102 as anticipated by U.S. patent 5,691,254 ("Sakamoto") and U.S. patent 5,866,239 ("Shimatani"), and/or under 35 U.S.C. § 103 as obvious over Sakamoto or Shimatani in view of Wennemann, Kornbluth, Martin, Krause, Pourney, and/or Mewissen. Central to all of these rejections was the assertion that Sakamoto's and Shimatani's glass products inherently possess the L*, a*, b* values required by the claims. This assertion is apparently based on the belief that Sakamoto's or Shimatani's black product falls within the L*, a*, b* values required by the claims: that is, the belief that a* and b* values could compensate for the required L* value (which requires a "light" product) to produce a black product. (See, page 6 of the Office Action). In view of the following comments, Applicants respectfully request reconsideration and withdrawal of all of these rejections.

All of the pending claims require the claimed glass-ceramic to have an L* value between 82 and 87. As explained in the materials provided with Applicants' response filed September 15, 2006, relating to the L*, a*, b* scale, L* is a measure of lightness and darkness, with L* = 100 being white, and L* = 0 being black. Thus, the claim requirement that the glass-ceramic have an L* value of between 82 and 87 is a requirement that the glass be light, transparent or translucent-like.

The remaining parameters, a* and b*, do not relate to lightness or darkness. Instead, a* relates to the red-green component, and b* relates to the yellow-blue component. Thus, a* and b* determine the general color characteristics of a product. However, and significantly,

the L* value determines the lightness or darkness of the product. Thus, while a* and b* relate to whether a product might be of the brown or black family, it is L* which determines whether the color is brown or tan or light tan, or black or gray or light gray. Given that the pending claims require a L* value of between 82 and 87, it follows that even if a* and b* values are such that the product is in the black family the resulting product will be a light, transparent or translucent-like product (perhaps having a light gray tinge).

Thus, the belief upon which the pending rejections are based (that is, that Sakamoto's and Shimatani's black glass products fall within the pending claims) is factually unsupportable given the required L* value of between 82 and 87, meaning that the pending rejections cannot be maintained.

The Office Action recognized that neither Sakamoto nor Shimatani expressly teaches or suggests such a composition. Neither reference inherently teaches or suggests such a composition either.

As explained in Applicants' previous response, Sakamoto and Shimatani disclose glass plates having "a **black** appearance." At the very least, it cannot be said that such glass plates are inherently translucent and/or transparent. For at least this reason, neither Sakamoto nor Shimatani teaches or suggests the claimed invention, expressly or inherently.

The numerous secondary references cannot compensate for this fatal deficiency. None of the cited references teaches or suggests a glass-ceramic composition having the required L*, a*, b* values.

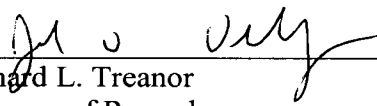
In view of the above, Applicants respectfully request reconsideration and withdrawal of all of the pending rejections under 35 U.S.C. §§ 102 and/or 103.

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Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

John D. Dellinger
Registration No. 50,436

Customer Number

22850

Tel #: (703) 413-3000
Fax #: (703) 413-2220